

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 1994-538-T - ORDER NO. 2008-180  
MARCH 12, 2008

IN RE: Application of J. C. Smith, 522 North ) ORDER  
Jefferson Street, Florence, SC 29506-6245 ) REINSTATING  
(District 6) for a Class C (Taxi) Certificate of ) CERTIFICATE  
Public Convenience and Necessity )

This matter comes before the Public Service Commission of South Carolina (the "Commission") by way of a request filed by J. C. Smith ("Applicant" or "Smith") to reinstate Class C Certificate of Public Convenience and Necessity (Certificate) No. 6216.

A review of the Commission's records reveals that the original Certificate (Certificate No. 6216) to render motor passenger service in the present docket was issued pursuant to Commission Order No. 1994-886, dated September 6, 1994.

After receipt of a Petition for Rule to Show Cause filed by the Office of Regulatory Staff (ORS), a formal hearing was set for holders of Certificates of Public Convenience and Necessity that had failed to file and maintain insurance and to comply with the statutes governing operations of Motor Vehicle Carriers in South Carolina. The record reflects that Smith was a respondent to the Rule to Show Cause for failure to file and maintain insurance.

For those motor carriers who had not responded to the prior notifications of noncompliance, a public hearing regarding this matter was held on January 16, 2008 at

2:45 p.m. The Commission found that the Certificates of Public Convenience and Necessity held by certain carriers, including Smith, should be revoked and cancelled, with the specific violation being the failure to file and maintain insurance as required. Accordingly, the Commission issued Order No. 2008-37, dated January 23, 2008, which cancelled Smith's Certificate No. 6216.

By letter received January 28, 2008, the Applicant requests that Smith's Certificate in question be reinstated. The Applicant attached information indicating the company has had insurance coverage since August of 2007.

The Commission has reviewed the case before it and after due consideration, the Commission concludes that the above-mentioned Certificate should be reinstated, subject to compliance with all the applicable statutes and the Commission's Rules and Regulations.

IT IS THEREFORE ORDERED:

1. That Class C Certificate of Public Convenience and Necessity No. 6216 in the name of J. C. Smith be, and hereby is, reinstated, subject to compliance with all Commission Rules and Regulations within sixty (60) days of the date of this Order.

2. That all operating rights authorized under the Certificate are hereby reinstated, subject to compliance with all applicable statutes and the Commission's Rules and Regulations within sixty (60) days of the date of this Order.

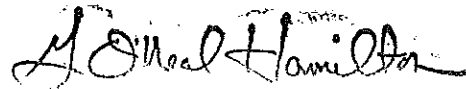
3. That prior to compliance with the applicable statutes and the Commission's Rules and Regulations, including the requirements of filing with the Office of Regulatory Staff proof of appropriate insurance, the payment of license fees,

and such other information required by law within sixty (60) days of the date of this Order or (2) request and obtain from the Commission additional time to comply with the requirements stated above, the motor carrier services authorized by the Certificate shall not be provided.

4. Failure of the Applicant either (1) to complete the certification process by complying with the Commission requirements of causing to be filed with the Office of Regulatory Staff proof of appropriate insurance on forms as approved by the Commission and the payment of license fees and such other information required by law within sixty (60) days of the date of this Order or (2) to request and obtain from the Commission additional time to comply with the requirements of the Commission as stated above, may result in the authorization approved in this Order being revoked.

5. That this Order shall remain in full force and effect until further Order of the Commission.

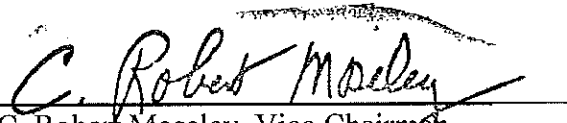
BY ORDER OF THE COMMISSION:



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G. O'Neal Hamilton, Chairman

ATTEST:



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C. Robert Moseley, Vice Chairman

(SEAL)